## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

	"Haptic M	lessaging In Handheld	Communi	cation Device	es"	
The specification	on of this subject	matter:				
	is attached here	eto.				
$\boxtimes$	was filed on <u>Jun</u>	e 8, 2005 as United Sta	tes Applicat	tion Number <u>1</u>	10/538,163	
	and was amend	ed on	(if appli	icable).		
	was filed on Dec PCT/US2003/03	cember 8, 2003 as PCT 8900	Internationa	al Application	Number	
	and was amende	ed on	(if appli	icable).		
application, include not believe the my invention thereosale in the Unite has not been particularly application in acceptation	uding the claims, hat the claimed in ereof, or patented of or more than or et at the country foreign or assigns more application) prior to wledge the duty to ecordance with 37 or claim foreign prior's certificate listed tificate having a file.	e reviewed and understa as amended by any am vention was ever knowr or described in any prin ne year prior to this applica ica more than one year he subject of an invento to the United States of than twelve months (for this application. O disclose information was C.F.R. §1.56(a).	endment(s) n or used in nted publica ication, that prior to this r's certifica America or a utility pat which is mat J.S.C. §119 identified b the applica	erial to the expelow any foreign on which	bove. I do natates of Ame buntry before as not in publicand that the core the date of filed by more amination of a application priority is classically application of the core and application of the core and application of the core and application application priority is classically application and the core and the c	ot know and rica before my ic use or on invention of this e or my legal of this for a this for patentaimed.
PRIOR FOREIG	N APPLICATION	<u>ı(S)</u>	Priority	Claimed		ed Copy ched?
					<u>a.</u>	
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

### PROVISIONAL PATENT APPLICATION(S)

I hereby claim the ben	efit under 35 U.S.C. §119(e) of any United States	provisional application(s)
listed below:	•	
60/431,662	December 8, 2002	
Application Number	Filing Date	

## **PARENT PATENT APPLICATION(S)**

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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I hereby appoint practitioners associated with **Customer Number: 60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

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### Customer Number 60,140.

FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Danny	Α	Grant	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Ci	tizenship
	Montreal	Quebec, Canada	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	5961 de la Roche, #4	Montreal	Quebec, Canada	H2S 2C8
FULL NAME OF INVENTOR 2	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Jeffrey		Eid	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	tizenship
	Danville	California	USA	_
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	105 Shadwell Drive	Danville	California	94506
FULL NAME OF INVENTOR 3	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Shoichi		Endo	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	tizenship
	Cupertino	California	Japan	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	20268 Northwest Square	Cupertino	California	95014
FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Erik	J	Shahoian	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	San Ramon	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	3208 El Suyo Drive	San Ramon	California	94583
FULL NAME OF	FIRST Name	MIDDLE Initial(s)	LAST Name	
INVENTOR 5	Dean	С.	Chang	
RESIDENCE AN CITIZENSHIP		State or Foreign Country	Country of Cit	izenship
	Gaithersburg	Maryland	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	330 Alderwood Drive	Gaithersburg	Maryland	20878

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. Danny A. Grant SECOND INVENTOR Date Jeffrey Eid THIRD INVENTOR Date Shoichi Endo FOURTH INVENTOR Date Erik J. Shohian FIFTH INVENTOR

Date

Dean C. Chang

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

# 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
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  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

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application, inc do not believe i my invention th invention there sale in the Unit has not been p application in a representatives design patent a  I acknow application in a  I hereb patent or inven	Juding the claims, a that the claimed invi- pereof, or patented of or more than on led States of Ameri- atented or made thany country foreign or assigns more to application) prior to by claim foreign prior tor's certificate liste	disclose information w C.F.R. §1.56(a). ority benefits under 35 led below and have also	endment(s n or used in nted publication, that prior to this or's certifica America or a utility pat which is mat U.S.C. §119 identified by	referred to a the United Station in any country the same was application, at its issued before an application entapplication erial to the expectation of any foreign pelow any foreign end of any foreign elow any foreign.	bove. I do notates of Ame buntry before its not in publicand that the iter the date confiled by mean) or six more amination of an application application application.	ot know and rica before my ic use or on invention of this e or my legal oths (for a this e) this e of this e) this e) for on for patent
	· ·	ling date before that of	• •			
<u>PRIOR FOREI</u>	GN APPLICATION	<u>(S)</u>	Priority	Claimed		ed Copy ched?
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RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Citi	zenship
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IIIVEIII OK 5	Dean	C.	Chang	
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FIRST INVENTOR	Date
Danny A. Grant	
	4/25/06
SECOND INVENTOR	Date
Jeffrey Eid \	·
THIRD INVENTOR	Date
Shoichi Endo	
EQUATION AND AND AND AND AND AND AND AND AND AN	Date
FOURTH INVENTOR Erik J. Shohian	Date
LIN J. GIIOINGII	
FIFTH INVENTOR	Date
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		-1- <u>1</u>				ched?
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1.1.1.1.1	Cupertino	California	Japan	
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•	20268 Northwest Square	Cupertino	California	95014
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FIRST INVENTOR Danny A. Grant	Date	
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PRIOR FOREIG	ON APPLICATION	<u>(S)</u>	<u>Priority</u>	Claimed		ed Copy ched?
					Allac	viień i
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Application Number	Filing Date

#### PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint practitioners associated with **Customer Number: 60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to the address associated with

#### Customer Number 60,140.

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FIRST INVENTOR Danny A. Grant	Date	
SECOND INVENTOR Jeffrey Eid	Date	
THIRD INVENTOR Shoichi Endo	Date	
FOURTH INVENTOR Erik J. Shohian	Date 5/25/06	
FIFTH INVENTOR Dean C. Chang	Date	

## 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1,97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

	"Haptic M	essaging In Handheld	Communic	ation Device	es"	
The specification	on of this subject r	matter:				
	is attached here	o.				
$\boxtimes$	was filed on June	<u>e 8, 2005</u> as United Stat	es Applicati	ion Number <u>1</u>	0/538,163	
•	and was amende	ed on	(if appli	cable).		
$\boxtimes$	was filed on Dec PCT/US2003/03	ember 8, 2003 as PCT 8900	Internationa	d Application	Number	
	and was amende	ed on	(if appli	cable).		
application, incl do not believe t my invention the invention thereo sale in the Unite has not been pa application in a representatives design patent a  I ackno application in a  I hereb patent or invent or inventor's ce	uding the claims, hat the claimed in ereof, or patented of or more than or eatented or made the country foreign or assigns more pplication) prior to wledge the duty to coordance with 37 y claim foreign prior's certificate list	o disclose information w C.F.R. §1.56(a). ority benefits under 35 L ed below and have also iling date before that of	endment(s) or used in ited publicar cation, that prior to this r's certificat America on a utility pate hich is mate J.S.C. §119 identified b the applicat	referred to a the United Station in any counter the same was application, are issued befor an application ent application erial to the experience of any foreign elow any foreign elow any foreign the United Station erial to the experience of any foreign elow any foreign the United Station erial to the experience of any foreign elow any foreign elony elow any foreign elony elony elony elony elony elony elony elon	bove. I do nates of Ame untry before s not in publ and that the ore the date on filed by men) or six more amination of a application application priority is class	ot know and rica before my ic use or on invention of this e or my legal oths (for a fithis)
					Allac	JICU:
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

### PROVISIONAL PATENT APPLICATION(S)

I hereby claim the bendisted below:	efit under 35 U.S.C. §119(e) of any United States provisional application	on(s)
60/431,662	December 8, 2002	
Application Number	Filing Date	

### PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

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•		
SECOND INVENTOR Jeffrey Eid	Date	
THIRD INVENTOR Shoichi Endo	Date	
WILL		5-19-04
FOURTH INVENTOR Erik J. Shohian Shaholan	Date	
FIFTH INVENTOR Dean C. Chang	Date	

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